

CLAIM REJECTIONS

In response to Applicants' previous reply, the Examiner changes the 35 U.S.C. § 103(a) rejection of claims 1-8 as being unpatentable over Tsunchara et al. (U.S. Patent No. 6,307,844), to a rejection alleging that claims 1-4 stand rejected under 35 U.S.C. § 102(e), as being anticipated by Tsunchara et al. As to claims 5-8, the Examiner admits that these claims are not taught by Tsunchara et al. alone, but stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsunchara et al. in view of Ghosh. These rejections are respectfully traversed.

Applicants respectfully submit that Tsunchara et al. fail to teach or suggest a method for communicating power control information comprising at least the step of "transmitting power control information for a first channel within a portion of a first segment of a pilot channel, the first segment being one of a plurality of repeating segments", as recited in independent claim 1.

Referring to Tsunchara et al., the only mention of a pilot channel is with respect to Fig. 2, which simply indicates the fact that there is some pilot channel 8 of undetermined dimensions, and in the discussion on column 6, lines 17-33, where a pilot channel is output from an acquisition/spread circuit 150. Nowhere is there disclosed transmitting power control information for a particular channel (e.g., first channel) within a portion of a first segment of the pilot channel, as recited in claim 1.

The Examiner is directed to the passage supporting Fig. 7 in Tsunchara et al., upon which he relies. As described in column 5, lines 40-47, what is actually shown in Fig. 7 is the insertion of a common transmission power control signal into (or in between) answer

packets 110. The Examiner alleges that the pilot control channel is taught (“e.g., block 110a in Fig. 7, answer packets in Fig. 9”). However, block 110a and the answer packets do not, in any respect, represent a pilot channel, and the transmission power control signal 111a does not represent a portion of a first segment of a pilot channel, as is recited in claim 1. For at least these reasons, Applicants submit that independent claim 1, and claims 2-4 dependent thereon, define over Tsunchara et al.

With regards to the rejection of claim 5-8 under 35 U.S.C. § 103, the Examiner cites Ghosh for the teaching of various channels. However, Ghosh does not overcome the deficiency in Tsunchara et al., since Ghosh does not teach or suggest of a method for communicating power control information comprising at least the step of “transmitting power control information for a first channel within a portion of a first segment of a pilot channel, the first segment being one of a plurality of repeating segments”, as recited in independent claim 1.

Accordingly, for at least this reason, Applicants submit that the Tsunchara et al. and Ghosh combination fails a test for obviousness as set forth under 35 U.S.C. § 103, in that the combination does not teach or suggest every feature of the claim. Therefore, Applicants kindly submit that claims 5-8 should be indicated as allowable, and that the rejection be withdrawn.

CONCLUSION

In view of the foregoing, Applicants submit that claims 1-8 and the application as a whole is in condition for allowance. Early and favorable notice to that effect is respectfully solicited.

Pursuant to 37 C.F.R. § 1.17 and § 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application, and the required fee of \$110.00 is attached.

In the event that any matters remain at issue in the application, the Examiner is invited to contact the undersigned at (703) 390-3030 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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